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January 17, 2013

Via Fax to (317) 229-3909 and ECF
Magistrate Judge Mark J. Dinsmore
United State District Court
Southern District of Indiana

Re: Paulus v. Pride Acquisitions, et al, 1:12-cv-01433-LJM-MJD

Dear Honorable Mark J. Dinsmore:

I represent the defendants in the above-captioned action. On January 14, 2013, defendants filed a motion for summary judgment and dismissal pursuant to Fed. R. Civ. P. 56 (Doc. 34.) Simultaneous therewith, defendants also filed a motion for a protective order pursuant to Fed. R. Civ. P. 26(c) (Doc. 35) including a proposed Order, seeking a stay of class discovery pending a determination of the summary judgment motion. In essence, if the summary judgment motion is granted, such would result in the extinguishment of the plaintiff's entire case, thereby rendering discovery moot.

Regardless of how the Court addresses the protective order motion and proposed Order, defendants are nevertheless in need of additional time to provide the discovery demanded. In sum, the demands are voluminous and burdensome, and defendants are exerting great effort and expending time and resources in an attempt to comply with the demands, but have been unable to marshal the demanded information as of yet.

As such, defendants request an extension of 30 days to provide the discovery, independent of the Court's determination of the protective order motion and proposed Order.

Thank you for your attention herein.

Respectfully submitted,



David M. Barshay

Cc: All parties via ECF